

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rule making related to electrician and electrical contractor license requirements and providing an opportunity for public comment

The Electrical Examining Board hereby proposes to amend Chapter 502, “Electrician and Electrical Contractor Licensing Program—Licensing Requirements, Procedures, and Fees,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 103.6(1)“a.”

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 105.18(3)“d.”

Purpose and Summary

2015 Iowa Acts, House File 536, section 38, amended Iowa Code chapter 105, specifically, Iowa Code section 105.18(3)“d,” relating to the license requirements for persons who work on air conditioning and refrigeration systems. The legislation clarified that a person who holds either a master or journeyman mechanical license or a master or journeyman HVAC-refrigeration license is exempted from having to obtain a special electrician’s license pursuant to Iowa Code chapter 103 in order to perform the disconnection and reconnection of existing air conditioning and refrigeration systems. The proposed amendment to Chapter 502 incorporates this statutory correction.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Pursuant to the provisions of rule 661—10.222(17A), the Board does not have authority to waive requirements established by statute. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to the provisions of rule 661—501.5(103).

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board no later than 4:30 p.m. on March 20, 2018. Comments should be directed to:

Barb Edmondson
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319
Phone: 515.725.6188
Email: edmondso@dps.state.ia.us

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 20, 2018
10 a.m.

First Floor Public Conference Room 125
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 502.2(9) as follows:

502.2(9) A special electrician license may be issued to a person who submits to the board a completed application with the applicable fee, who is not disqualified from holding a license pursuant to rule 661—502.4(103), and who meets the qualifications for any endorsement entered on the license. Each special electrician license shall carry one or more endorsements as specified in paragraphs “a” through “d.”

a. No change.

b. Endorsement 2, “Disconnecting and Reconnecting Existing Air Conditioning and Refrigeration Systems,” shall be included on a special electrician license if the licensee requests it and has passed a supervised examination approved by the board or has completed two years of documented experience in the disconnecting and reconnecting of existing air conditioning and refrigeration systems.

NOTE: An individual who holds any of the following licenses issued by the plumbing and mechanical systems board established pursuant to Iowa Code section 105.3 is not required to hold a license issued by the electrical examining board in order to perform disconnection and reconnection of existing air conditioning and refrigeration systems:

1. Master HVAC refrigeration.
2. Journeyperson HVAC refrigeration.
3. Master ~~refrigeration~~ mechanical.

4. Journeyperson ~~refrigeration~~ mechanical.
c. and *d.* No change.